

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments.

Applicants filed a Sequence Listing on January 30, 2003, after they incorporated the actual DNA and amino acid sequences of GenBank Accession No. Y08612 into the specification and claims in their paper of October 10, 2002. The present Amendment now incorporates the specific sequence identifiers of those sequences in the specification and claims. Thus, page 6 of the specification, which describes the exact DNA and amino acid sequences of Y08612, now includes references “(SEQ ID NO. 1)” for the DNA sequence and “(SEQ ID NO. 2)” for the amino acid sequence.

Similarly, claims 3, 23, and 24, have been amended to recite “the protein consisting of the amino acid sequence of SEQ ID NO. 2.”

The amendment is fully supported by the specification and Applicants have not introduced any new matter into the claims.

IV. Conclusion

Applicants believe that the claimed invention is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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MARKED-UP VERSION OF THE SPECIFICATION

At page 6, please add the following paragraphs before the “Brief Description of the Drawings”:

The amino acid sequence (SEQ ID NO. 2) of accession number Y08612 is:

MAAAEGPVGDELWQTLWLPNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFGGLGELFLWDGED
SSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEGGK
STVNCSTTPVAERFFTSSTSLTLKHAAWYPSEILDPHVLLTSDNVIRIYSLREPQTPTNVIILSEAEESLVLN
KGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYILYENGETFLTYISLLHSPGNIWKAAGSIAHA
SAAEDNYGDACAVLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELELAL
KLASGEDDPFDSDFPCVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTEQKCFVE
HILCTRPLPCRQAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAET
PDSFEKHRSILQRSVANPAFLKASEKDIAPPEECLQLLSRATQVFREQYILKQDLAKEEIQRVVKLLCDQKKK
QLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHL
GNAIKQVTMKKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.

The nucleic acid sequence (SEQ ID NO. 1) encoding the protein of accession number Y08612 is:

1	gataaacc	caagacac	aacatact	tgcagcag	gggccaag	ggcgccgc
61	gagggacc	tggggcag	cgagctgt	cagacctg	ttcctaac	cgctcgtt
121	ttgcggct	gggagggc	gaaaaacc	agccaacc	aagctgag	accagctt
181	tcgtcggt	cttcgtcg	gccgcgcg	ttgctgac	gaaacgtg	ctttggcc
241	ggcggagc	ttttcctg	ggacggag	gacagctc	tcttagtc	tcgccttc
301	ggccccag	gcggcgcg	agagccgc	ctgtcccag	accagagat	gctttgca
361	aatccaccc	tgtttgaa	ctatcaag	ttgttaag	caacaca	tcatgtag
421	cttatagg	taaaaggc	tatggtat	gaattact	aaagatgg	gaagaatt
481	gaatttga	gtggaaa	aacagtga	tgtagtac	ctccagtg	ggagagat
541	ttcaccag	ccacctct	gactctaa	catgctgc	ggtatcca	tgaaatct
601	gatcccc	tagtgctg	aacatcac	aacgtaac	gaattact	tctacgtg
661	ccgcagac	ccactaac	gataatac	tcagaagc	aagaggaa	tctagtac
721	aataagg	ggcggtat	cgatctct	ggagagac	cagttgc	tgactttg
781	ccatttga	cagtcctc	gactctat	ggacaaa	gcaaagat	agtagtgc
841	tacccact	acatctta	tgaaaatg	gagacttt	tgacata	cagtctgt
901	cacagcc	gaaatatt	gaaagctg	gggtccat	cccagcat	tcgcgctg
961	gataact	gttatgat	gtgtgctg	ctctgtta	cctgtgtc	caatatct
1021	gtgatcga	ctgaatc	aatgctgt	actgtgtc	tgctaga	ggaagaag
1081	gatgacca	cgtcagaa	gtcctggg	tccaggat	acctcatt	ttctctgt
1141	gtgtttga	gtgttgag	ggagcttg	ttgaaact	catctgg	ggatgacc
1201	tttgattc	acttttct	tccagtc	cttcata	atcccaag	tccttcaa
1261	tatcactg	ctcatgag	tggtgtac	agtgttgg	taacttgg	tcataaac
1321	cacaaatt	ttggatca	tgaagaag	aaggatag	tacaggaa	ctctacag
1381	cagaaatg	ttgttga	catccttt	acgaggcc	tgccctgc	gcagccag
1441	ccaattcg	gattttgg	tgtacctg	attctggg	ccacgatg	ctgcatcc
1501	agtacct	aatgcctc	atggccgt	ttaagtac	tccatcc	gtctcctc
1561	ctgctttg	ctcgaga	tggtgaag	gcagagt	ccctccgt	tctggctg
1621	acccagat	cctttgaa	gcatattg	agcatttt	aacgtagt	tgccaatc
1681	gcattttt	aagcttct	aaaggaca	gccctcct	ctgaagaa	cttcagct
1741	ctcagcag	ccaccagg	gttcagag	cagtacat	tcaaacag	cttggaag
1801	gaggagat	agcggagg	caaattat	tgtgacaa	aaaagaa	actagaag
1861	ctcagtt	gtcgaga	gaggaaa	ctgcggga	tggctgag	tttagctg
1921	aaatagag	aagctaa	aaaacaag	gatatcat	acaggatg	aaaactac
1981	cacagttt	actctgag	cccagttc	tctgatat	agcgagac	gaagaaag
2041	ttacagct	tacctgat	acttcgac	ttgggca	ccatcaa	ggttact
2101	aaaaagg	atcaacag	aaagatgg	aagggtgt	gtcttcca	accaccat
2161	attctcag	cctaccag	aaagtgc	cagtccat	tgaaagag	gggtgaac
2221	ataaggga	tggtgaag	aatcaatg	atccgca	atgtaaac	ctgacacc
2281	caggagct	ctcacact	aactgaac	cattgaag	ttaaacc	attgtaaa
2341	aggtaga	atctaatt	taaaaagg	ttttgat		

MARKED-UP VERSION OF THE CLAIMS

13. (Twice amended) A method for identifying a cancer cell comprising:

(a) providing a tissue biopsy sample; and

(b) determining the level of expression in said sample of the protein consisting of the amino acid sequence of SEQ ID NO. 2:

MAAAEGPVG DGELWQTWLPNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFG LGGELFLWDGE
DSSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEG
GKSTVNCSTTPVAERFFTSSTSLTLKHAAWYPSEILDPHVLLTSDNVIRIYSLREPQTPTNVIILSEAEESL
VLNKGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYENGETFLTYISLLHSPGNIWKAVGS
IAHASAAEDNYGDACAVLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVE
LELALKLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDLSLQELSTE
QKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEVAESS
LRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVK
LLCDQKKKQLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKKLLHSFHSSELPVLSDSERDMKKELQ
LIPDQLRHLGNAIKQVTMKKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVN
F,

wherein a sample comprising said protein at a level of expression that is greater than non-cancer cells indicates that said sample comprises a cancer cell.

23. (Twice amended) A diagnostic kit comprising a protein binding molecule, wherein the protein binding molecule binds to the protein consisting of the amino acid sequence of SEQ ID NO. 2:

MAAAEGPVG DGELWQTWLPNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFG LGGELFLWDGED
SSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEGGK
STVNCSTTPVAERFFTSSTSLTLKHAAWYPSEILDPHVLLTSDNVIRIYSLREPQTPTNVIILSEAEESLVLN
KGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYENGETFLTYISLLHSPGNIWKAVGSIAHA
SAAEDNYGDACAVLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELELAL
KLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDLSLQELSTEQKCFVE
HILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAET
PDSFEKHRSILQRSVANPAFLKASEKDIAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKK
QLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHL
GNAIKQVTMKKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.

24. (Twice amended) A diagnostic kit comprising a nucleic acid, wherein the nucleic acid anneals specifically to a nucleic acid transcript that encodes the protein consisting of the amino acid sequence of SEQ ID NO. 2:

MAAAEGPVG DGELWQTWLPNHVVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFGLGGELFLWDGED
SSFLVVR LRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEGGK
STVNCSTTPVAERFFTSSTSLTKHAAWYPSEILDPHVVLLTSDNVIRIYSLREPQTPTNVIIILSEAEESLVLN
KGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYIYENGETFLTYISLLHSPGNIWKAVGSIAHA
SAAEDNYGYDACAVLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELELAL
KLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTEQKCFVE
HILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCTREDVEVAESSLRVLAET
PDSFEKHIRSILQRSVANPAFLKASEKDIAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKK
QLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHL
GNAIKQVTMKKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.